IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 33034 of 2004(G)

PETITIONER:

KARANGADAN MUHAMMED ALI,
S/O. KUNHIMARAKKAR, KARANGADAN HOUSE,PATHANAPURAM,
VALLILLAPUZHA, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR
SRI.P.A.RAJESH

RESPONDENTS:
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1. **THE REVENUE DIVISIONAL OFFICER,**
   PERINTHALMANNA, MALAPPURAM DISTRICT.

2. **THE TAHSILDAR,**
   ERNAD, MALAPPURAM DISTRICT.

3. **THE VILLAGE OFFICER,**
   KEEZHUPARAMBU, MALAPPURAM DISTRICT.

4. **K.MOHAMMED ALI,**
   KEEZHUPARAMBU, PATHANAPURAM, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.MUJEEB
GOVERNMENT PLEADER SMT.T.B.RAMANI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP.(C) NO.33034/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE COMPLAINT SUBMITTED BY THE 4TH RESPONDENT BEFORE THE 1ST RESPONDENT DT. 20.3.04.

EXT.P2:- COPY OF THE REPORT SUBMITTED BY THE 3RD RESPONDENT BEFORE THE 1ST RESPONDENT DT. 29.6.04.

EXT.P3:- COPY OF THE ORDER PASSED BY THE 1ST RESPONDENT DT. 21.7.04.

EXT.P4:- COPY OF THE STOP MEMO RECEIVED BY THE PETITIONER DT. NIL, ISSUED BY THE 3RD RESPONDENT.

RESPONDENTS EXHIBITS

EXT.R4(a):- COPY OF THE FILED BY THE 4TH RESPONDENT BEFORE THE 1ST RESPONDENT ON 12.8.04.

EXT.R4(b):- COPY OF THE STOP MEMO SUBMITTED BY THE 2ND RESPONDENT.

/TRUE COPY/

P.S. TO JUDGE

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THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 33034 OF 2004-G

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Dated this the 17th day of July, 2007.

JUDGMENT

This writ petition was filed on 12-11-2004 seeking interference with Ext.P4 stop memo issued by the 3rd respondent directing the petitioner to remove mud from a pathway. There is no interim order in this case. The contesting 4th respondent has filed a counter-affidavit. The pleadings of either side and the materials produced therewith show that there is a complaint pending before the Revenue Divisional Officer. Under such circumstances, this writ petition is closed without prejudice to the right of the parties to agitate the matter before the R.D.O.

Sd/-
THOTTATHIL B. RA**DHAKRISHNAN,**
Sha/- **JUDGE.**